

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ADONIS RODRIGUEZ,  
Defendant.

18-CV-669-4 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Defendant Adonis Rodriguez and thirteen codefendants have been charged with various racketeering, firearms, and narcotics charges. Defendant was arrested on April 18, 2019, and ordered detained on consent. On July 12, 2019, Defendant's motion for bail was denied. (*See* Dkt. No. 112.) On April 1, 2020, Defendant renewed his application for bail, arguing that the pandemic poses a health risk to Defendant in confinement. (*See* Dkt. Nos. 142, 143, 144.)

Temporary release under 18 U.S.C. § 3142(i) is authorized if "release [is] necessary for preparation of the person's defense or for another compelling reason." The proper inquiry is a balancing test. That is, to determine whether release is justified for a "compelling reason," the Court must "balanc[e] the reasons advanced for release against the risks poses by release." *United States v. Chambers*, No. 20-CR-135, 2020 WL 1530746, at \*1 (S.D.N.Y. Mar. 31, 2020).

Applying that analysis here, the Court denies Defendant's bail application for substantially the same reasons advanced by the Government's opposition. (*See* Dkt. No. 146.) The specific reason for release identified by Defendant, who is asthmatic, is the heightened health risk posed by the coronavirus epidemic. (Dkt. No. 142 at 2–3.) As the Government has already demonstrated, however, Defendant poses a significant danger to his community (Dkt. No. 112-1 at 9), and, "[s]imply put, the danger to the community presented by [Defendant's] release outweighs, substantially, the danger to himself posed by his incarceration," *Chambers*,

2020 WL 1530746, at \*1 (quoting *United States v. Conley*, No. 19-CR-131, ECF No. 366, at 2–3 (S.D.N.Y. Mar. 31, 2020)); *see id.* (denying temporary release to asthmatic defendant under § 3142(i)).

Accordingly, Defendant’s motion for temporary release is DENIED.

SO ORDERED.

Dated: April 8, 2020  
New York, New York



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J. PAUL OETKEN  
United States District Judge